IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5868 of 2007()

[CRIME NO.603/2007 OF KOTTRAKKARA POLICE STATION]
SUBSEQUENTLY TRANSFERRED TO CBCID, ERNAKULAM

: APPLICANTS/ACCUSED NO.1 TO 3.

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1. GEETHA RANI, D/O. LEELA,
KAITHA THAKKU SREERAGAM, KUNNAMANGALAM VILLAGE,
MAVELIKKARA.

2. ANANDARAJAN, S/O. KARUNAKARAN,
KARUNALAYAM, KANDALLOOR NORTH MURI,
KANDALLOOR VILLAGE, KAYAMKULAM.

3. VALSALAKUMARI, D/O. PANKAJAKSHI,
VALSALA BHAVAN, KOTHAPALLI, VADAKKUMMURI,
TAMARAPURAM VILLAGE.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.REVIKRISHNAN

RESPONDENTS: COMPLAINANT & STATE.

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.Nos.5868 and 5874 of 2007

Dated this the 1st day of October 2007

O R D E R

These applications are for regular bail. The first petitioner is common in both cases. In B.A.No.5874/07, there is only one petitioner/accused. In B.A.No.5868/07 there are three petitioners. The allegations in these two crimes are under Section 420 I.P.C. In one case, it is alleged that the principal accused had induced the victim to part with an amount of Rs.16,500/- on the promise that job abroad will be secured and visa handed over to the de facto complainant. In the other, the first petitioner allegedly pretended to be a member of the P.S.C. She promised job to the de facto complainant on payment of an amount of Rs.80,000/-. She was inside the P.S.C office. When the de facto complainant called her over the phone, she came out of the P.S.C. office. She allegedly handed over an order of appointment to the de facto complainant. The gullible de facto complainant was thus cheated. When he went to the office concerned to join duty, he realised that he has been taken for a

ride. Investigation is in progress. The petitioners were arrested on 10/8/2007 and 14/8/2007 respectively. Final report has not been filed so far. The petitioners pray that they may be released on regular bail now they having continued in custody from 10/8/2007 and 14/8/2007 respectively.

2. The learned Public Prosecutor opposes the application vehemently. The learned Public Prosecutor submits that there are no circumstances whatsoever which justifies the claim for release of the petitioners on bail now. The learned Public Prosecutor submits that there are several other crimes against the first petitioner before several police stations. A consolidated investigation is being conducted by the CBCID now. At any rate, the petitioners may not be enlarged on bail in this case now, submits the learned Public Prosecutor.

3. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. I am not persuaded to agree that this is a fit case where the petitioners can be released on bail at this stage. In coming to this conclusion, I have taken note of the nature of the allegations, stage of investigation, nature of materials that have been

collected and the criminal antecedents of the first petitioner. I am satisfied that the investigating officer in a serious crime like this can be given reasonable further time to complete the investigation.

4. In the result, these petitions are dismissed. However, I may hasten to observe that the petitioners shall be at liberty to move this court or the courts below for bail again at later stages of the investigation not, at any rate, prior to 15/10/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation. Needless to say, this direction shall not in any way fetter the rights of the petitioner to claim bail by default if final report is not filed within the stipulated period under the proviso to 167(2) Cr.P.C.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007